

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

PANDOL, *et al.*

Serial No.: 10/824,597

Filed: 15 April 2004

For: COMPOSITIONS COMPRISING PLANT-DERIVED  
POLYPHENOLIC COMPOUNDS AND INHIBITORS OF  
REACTIVE OXYGEN SPECIES AND METHODS OF  
USING THEREOF

Art Unit: 4173

Examiner: Pagonakis, Anna

Atty. Dckt: 034044.021CIP1 (2002-  
428-2)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. § 1.56, 1.97 and 1.98.

Per a telephone conversation with the Examiner on 28 February 2008, Applicants submit herewith:

*1. The 1449 and 892 forms from the parent application, U.S. Patent Application Serial No. 10/260,609. The references may be found in the prosecution history of the '609 application.*

*2. The references cited in an application that has subject matter similar to the instant invention but is not in the same patent family, U.S. Patent Application Serial No. 10/218,518, listed on a new 1449 form. In the header of this 1449 form "FROM USSN 10/218,518" is indicated. The references listed in this 1449 form may be found in the prosecution history of the '518 application.*

*Applicants have listed the references in the order that is provided on the issued patent with the exception that references which are provided on the 1449 and 892 forms of the '609 application have been removed.*

*3. A new 1449 form which lists references which are not provided in #1 or #2 above. The header of this 1449 form indicates "NEW". Copies of these references are provided herewith.*

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith.

*In particular, the Examiner is directed to the prosecution histories of USSN 10/260,609 and USSN 10/218,518.*

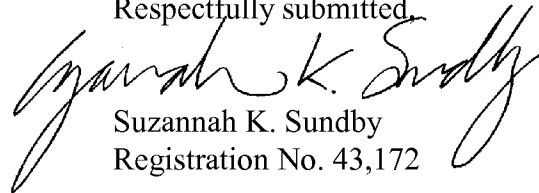
It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

The amount of **\$180.00** in payment of the fee under 37 C.F.R. § 1.17(p) is being made via a credit card online.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully submitted,



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Date: 29 February 2008  
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